

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JULIE K. HUTCHINGS, ET AL.

v.

UNITED PARCEL SERVICE, INC., ET
AL.

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Case No. 2:13-CV-246-JRG-RSP


REPORT AND RECOMMENDATION

Currently before the Court is the Report and Recommendation filed by Magistrate Judge Payne on March 13, 2014 (Dkt. No. 104) regarding Defendants' Rule 12(b)(6) Motion to Dismiss Plaintiffs' Complaint (Dkt. No. 6, filed April 30, 2013.) No objections having been filed and for the reasons set forth in the Court's Report and Recommendation, the Recommendation is adopted. Accordingly,

IT IS ORDERED that the Defendants' Rule 12(b)(6) Motion to Dismiss Plaintiffs' Complaint (Dkt. No. 6) is **DENIED**.

So Ordered and Signed on this

Mar 31, 2014



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE